IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

Bail Appl..No. 4295 of 2007()

CRIME NO. 948/06 OF KUNDARA POLICE STATION
CMP.5652/2007 of J.M.F.C.-I, KOLLAM

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PETITIONERS/ACCUSED NO.3 & 8

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1. DILEEPKUMAR,
S/O.BABU, DILEEP BHAVAN,
NEAR AMBEDKAR COLONY, PERINADU VILLAGE,
CHERUMOODU CHERRY.

2. PODIMON @ AJAYAKUMAR,
S/O.SUNDARESAN, MAVILA CHARUVIL VEEDU,
VIAVETHUTHEKKATHIL, CHERUMOODU CHERRY,
PERINADU VILLAGE.

BY ADV. SRI.C.K.PRASAD
SRI.ABHILASH S.FRANCIS

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY THE S.I. OF POLICE, KUNDARA,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 4295 of 2007

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Dated this the 16th day of July, 2007

O R D E R

Application for regular bail. The petitioners are accused 3 and 8. They, along with the co-accused, (8 accused in all) face allegations, inter alia, under Sections 326 and 308 I.P.C. Accused 1 to 5 are named in the F.I.R. The others have subsequently been brought on the array of parties. There was an alleged incident on the previous day. As a retaliation against that incident, the petitioners, along with the co-accused, were allegedly members of an unlawful assembly of persons armed with dangerous weapons like iron rods and wooden sticks, unleashed an attack on the victim on 25.6.2007. The petitioners were arrested on 3.7.2007. Some of the co-accused have not been arrested so far. One of the accused, a bank employee, has been granted anticipatory bail. The petitioners were arrested and continue in custody from 3.7.2007.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not seriously oppose the said prayer on

condition that the Investigator is granted some reasonable further time to complete the investigation and I am satisfied that the petitioners can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) The petitioners shall not be released from custody on the strength of this order prior to 21.7.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) They shall execute bonds for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

© They shall make themselves available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays for a period of three months from the date of his release.

d) The petitioners shall not enter the jurisdiction of Kundara Police Station for a period of one month, except for the purpose of complying with condition © above.

(R. BASANT)
Judge

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